

Town of Horicon Planning Board

Minutes of July 16, 2008 - **approved**

Members Present: Chair Bill Bruce, Jim Remington, Harry Balz, Joe Dooris, Doug Paton, Alternate Georgia McMeekin, **Absent:** Alternate Dennis Doyle,

Others Present: Counsel to Boards Mike Hill, Town Board Member Bob Olson, ZBA Chair Priscilla Remington, Zoning Administrator Gary McMeekin, ZBA Member Gary Frenz.

Guests Present: John Caffry, Erin & Mike Hayes, Myron Butler, Bernie Hill Gail Frenz, Jean & Larry Southworth, Dan Hogan, Tei Schuerlein, Tom Ryan, Ted Schaap, Roscoe Chase, Donna Freidrich, Camile Dougen, Bob Ostrander, Judy & G Bertonneau, Peter & H Beletti and others.

PUBLIC HEARING:

File #2008-15CU Tax Map # 88.-1-6.1 Eldrid and Nancy Harpp seeking a Conditional Use to build a 21'x 22' garage on parcel located at 6637 State Rte 8 in the RRD-10 acre zone. Bill Bruce asked if anyone had any comments or questions. Joe Dooris asked if this structure was considered a carport. Gary McMeekin stated that it is considered a garage. Being no further comments or questions, Doug Paton made a motion to close the public hearing, 2nd by Harry Balz. All Ayes.

File # 2008-16CU Tax Map 71.16-1-1 Mike and Erin Hayes seeking a Conditional Use for a home occupation (law office) located at 159 Palisades Rd in the R1-3.2 acre zone. Bill Bruce read the Warren County Planning Board recommendation No County Impact with stipulation that information in regards to a site plan showing the existing home, area to be used, parking arrangements, lighting or signage. Erin Hayes stated that a site plan sketch has been provided and there are no sign postings at the time and no additional lighting. Joe Dooris stated that if the applicant wished to add additional signs or lighting then the applicant would need to modify the Conditional Use approval. Being no further comments or questions Harry Balz made a motion to close the public hearing, 2nd by Joe Dooris. All Ayes.

The regular meeting of the Planning Board was called to order by Chair, Bill Bruce. Harry Balz made a motion to accept the minutes as corrected, 2nd by Jim Remington. All Ayes

UNFINISHED BUSINESS:

File #2008-15CU Tax Map # 88.-1-6.1 Eldrid and Nancy Harpp seeking a Conditional Use to build a 21'x 22' garage on parcel located at 6637 State Rte 8 in the RRD-10 acre zone. Warren County Planning Board recommendation stated No County Impact with stipulation the location of garage be provided. SEQRA form was reviewed by the board. Harry Balz made a motion to declare a negative declaration, 2nd by Doug Paton. All Ayes. Brief discussion ensued regarding the location of the garage. Gary McMeekin stated that he will confirm the location with the applicant. Doug made a motion to approve the Conditional Use, 2nd by Harry Balz. All Ayes.

File # 2008-16CU Tax Map 71.16-1-1 Mike and Erin Hayes seeking a Conditional Use for a home occupation (law office) located at 159 Palisades Rd in the R1-3.2 acre zone. SEQRA form was reviewed by the board. Joe Dooris made a motion to declare a negative declaration, 2nd by Harry Balz. All Ayes. Joe Dooris made a motion to approve the Conditional Use for a Home Occupation based on the information submitted, 2nd by Doug Paton. All Ayes.

NEW BUSINESS:

File # 2008-21 CU Tax Map 105.2-1-15 Michael Ferenczi seeking a Conditional Use to build a 30' x 30' detached garage on parcel located at 73 Cemetery Rd in the RRD-3.2 acre zone. After a review of the application, Joe Dooris made a motion to deem the application complete and schedule a public hearing, 2nd by Doug Paton. Harry Balz stated that the application does not include scaled drawings. After a brief discussion, Joe Dooris amended his motion to request that the applicant provide drawings to scale, 2nd by Harry Balz. All Ayes.

File #2005-23 tax Map 71-1-45.1 Mike and Brenda Lewis (Tintippe Campground) seeking a modification of Conditional Use for relocation of main building, addition of a swimming pool and modification of access road. Bill Bruce stated that the applicant has provided a drawing. Gary McMeekin explained that the applicant needed to move the building and adjust the exits and entrances due to the landscape. Joe Dooris stated that the new proposal meets the standards of egress and ingress then made a motion to waive the public hearing, 2nd by Harry Balz. All Ayes. The SEQRA form was revisited. Doug Paton made a motion to declare a negative declaration, 2nd by Joe Dooris. All Ayes. Joe Dooris made a motion to approve the modification of the Conditional Use as there are no significant changes made, 2nd by Doug Paton. Discussion ensued regarding the swimming pool waste water (backwash). Joe Dooris then withdrew his motion to approve the modification, based on the suggestion by Harry Balz that information be submitted regarding the pool waste water then made a motion that the applicant provide further information regarding the disposal of the pool water, 2nd by Jim Remington. All Ayes.

REFERRALS:

File #2008-19AV Tax Map 72.13-2-48 Brant Lake Heights HOA (Olson Development Inc) seeking shoreline setback, dock surface area, side yard setback, dock configuration and dock length variances to add ten (10) additional docks to parcel located on State Rte 8 in the R1-1.3 acre zone. A statement regarding the improper completion of the authority to act as agent form was made. Warren County Planning Board stated No County Impact with stipulation information be provided regarding parking or pedestrian arrangement and access to the docking facility. Doug Paton stated that he needed clarification of the ownership of the existing twenty-eight (28) docks and expressed concern that the Warren County Planning Board is confused as to the number of docks presently. After a lengthy discussion regarding number of lots, previous applications for dock slips, the location of the new dock on the parcel and the zoning ordinance, Bob Olson requested that the board table the application to establish the side yard setback requirement. Doug Paton made a motion to table the referral from the ZBA, 2nd by Joe. All Ayes. Bill Bruce stated that he would like a clarification from the Warren County Planning Board as to the number of dock slips that exist on the parcel. John Caffry representing the Websters, adjoining property owners, stated that he has a twenty (20) year involvement with the history of Brant Lake Heights and Olson Development. John Caffry went on to explain the history of the subdivision and the variances sought for additional docks along with the Supreme Court decision Webster vs. Town of Horicon. Dated 1990 requesting that the Order to Remedy Violation to remove ten (10) illegal dock slips be enforced and also request that the Planning Board recommend to the ZBA a deny the requested variance as ten (10) dock slips are all ready illegal. Joe Dooris stated that he would like to review the entire history as he was aware of the

Article 78 but not aware of the reversal issued by Judge Dier then made a motion to table the recommendation to the ZBA, 2nd by Bill Bruce. All Ayes.

File #2008-20 AV Tax Map 71.12-1-29 Pine Tree Properties LLC seeking a 5.3+/- acre area variance to construct a multi-family townhouse unit on existing footprint located at 233 Palisades Rd in the R1-3.2 acre zone. Erin Hayes explained the project of two (2) townhouse units under one roof. Warren County Planning Board recommends No County Impact with stipulation that information regarding to site plan showing lot layout, parking arrangements, signage, lighting or access to site. Erin Hayes stated that she will address all concerns at the July 29th ZBA meeting. Bill Bruce explained that this board is reviewing this project under request of the ZBA for the density variance only as a recommendation. Members of the audience stated confusion over the process. A lengthy discussion ensued regarding the Zoning procedures. Bill Bruce stated that he feels the request is excessive. Joe Dooris made a motion to recommend to the ZBA approve the variance request 2nd by Doug Paton. The board was polled: Joe Dooris Aye Doug Paton Aye Jim Remington Aye Bill Bruce No Harry Balz No. The motion passed by majority vote.

APA Project # 2008-132 Feldt Tax Map 37.-1-69 Shaw Hill Rd. Recommendations for a 2-lot subdivision involving wetlands, complete application. Joe Dooris made a motion to recommend to the APA that the applicant seek a Minor Subdivision approval from this board.

APA Project #2008-141 Jabe's Pond Partners Tax Map 89.-2-2, 89.-2-76, 88.-2-15 regarding subdivision involving wetlands - incomplete application. Joe Dooris made a motion to state that the application is pending before this board and under review, 2nd by Doug Paton. All Ayes.

Board Privilege: Joe Dooris stated that since Ruth Ann Assmann's resignation this board is lacking a Vice-Chair and made a motion to recommend Doug Paton as Vice-Chair, 2nd by Jim Remington. All Ayes.

Harry suggested that the pledge be said before meetings called to order.

Being no further business, Chair Bill Bruce adjourned the meeting at 9:40 PM

Respectfully Submitted
Christine Smith-Hayes, Secretary